

Client Alert

November 2009

NEWS ALERT: EEOC HAS NEW POSTING REQUIREMENTS

The Equal Employment Opportunity Commission (EEOC) has a new version of its "Equal Employment Opportunity is the Law" poster. The new poster includes information related to changes in the Americans with Disabilities Act (ADA) and the relatively new Genetic Information Nondiscrimination Act (GINA). Primarily, the poster was revised to reflect the new rules under GINA which become effective November 21, 2009.

GINA prohibits discrimination against employees or applicants because of genetic information. The EEOC's position is that an employer may not use genetic information to make an employment decision, because the genetic information does not tell an employer about a person's current ability to work. The EEOC is providing three ways in which an employer may comply with the new posting requirements:

- 1) Print a supplement and post it alongside the EEOC's September 2002 "EEO is the Law" poster or OFCCP's August 2008 "EEO is the Law" poster. The supplement may be found at: http://www.eeoc.gov/employers/upload/eeoc_gina_supplement.pdf
- 2) Print and post the EEOC's November 2009 version of the "EEO is the Law" poster. This poster may be located at: http://www.eeoc.gov/employers/upload/eeoc_self_print_poster.pdf
- 3) Order a new poster through the EEOC Clearinghouse. The EEOC states that the poster is on backorder. Nevertheless, an order may be submitted to U.S. Equal Employment Opportunity Commission Clearinghouse, P.O. Box 541, Annapolis Junction, MD 20701.

If you have any questions about compliance with the new requirements or amendments to your current employment policies, we are available to assist you.

ABOUT HBSS

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